IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.12845 of 2008
MD.ILLIAS & ORS
Versus
STATE OF BIHAR & ANR.
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4. 8.9.2008 Heard the learned counsel for the petitioners and the State as well as opposite party no.2.

Petitioner no.2 to 8 have already been allowed anticipatory bail vide order dated 28.4.2008.

Petitioner no.1 Md. Illias has filed a supplementary affidavit on 29.5.2008 in the light of the order dated 28.4.2008 after serving a copy of the same on the learned counsel for the opposite party.

The petitioner no.1 is apprehending his arrest in connection with Complaint Case No.456 of 2007 for the alleged offences registered under section 498A of the Indian Penal Code and section 4 of the Dowry Prohibition Act.

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It is submitted on behalf of the petitioner no.1 that the present complaint was lodged for ulterior purposes as it would appear that the marriage of this petitioner with the complainant ceased as per the *Talaknama* filed on 12th of February, 2007. The complaint was filed on 28th of February, 2007.

Learned counsel appearing for opposite party no.2 submits that the assertion of the *Talaknama* is incorrect and the document of *Talaknama* dated 12th of February, 2007 as contained in Annexure 2 is equally not a genuine document. The thumb impression said to be on the *Talaknama* is not genuine since the complainant left her parents'

house on 3rd of February, 2007.

Considering the submissions of the learned counsel for petitioner no.1, opposite party no.2 as also the State, it is directed that the petitioner no.1 Md. Illias, in the event of his arrest or surrender in connection with Complaint Case No.456 of 2007, within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Katihar, in connection with the aforesaid case, on the conditions mentioned in sub-section (2) of section 438 of the Code of Criminal Procedure.

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PNM **(Shailesh Kumar Sinha, J.)**